

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

UNITED STATES OF AMERICA,

Case No. 3:08-cr-00174-JO-1

Plaintiff,

v.

**ORDER GRANTING MOTION TO
REDUCE SENTENCE**

JAVIER AVILA-AGUILAR,

Defendant.

JONES, Senior Judge:

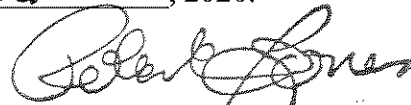
This matter is before the Court on the defendant's motion to reduce sentence pursuant to 18 U.S.C. § 3582(c)(1)(A)(i), ECF 134. The government has informed the Court that it does not oppose the defendant's request for release. Based on the filings to date and the agreement of the parties, and after full consideration of the relevant factors under 18 U.S.C. § 3553(a), the Court finds that extraordinary and compelling reasons warrant a reduction of defendant's sentence to time served, effective December 3, 2020. The Court concludes that the defendant's release pursuant to this order will not pose a danger to any other person or the community. This sentence reduction is consistent with the currently applicable U.S. Sentencing Commission policy statements. The Court delays release until December 3, 2020, in order to permit time for

Immigration and Customs Enforcement to arrange for the defendant to be transferred to their custody.

The Court therefore GRANTS the Motion to Reduce Sentence, ECF 134.

IT IS HEREBY ORDERED that an amended judgment and commitment order shall be prepared and entered forthwith amending the term of imprisonment to time served, effective December 3, 2020.

Dated this 30th day of November, 2020.

A handwritten signature in black ink, appearing to read "Robert E. Jones", written over a horizontal line.

Hon. Robert E. Jones
Senior United States District Court Judge